



Attorney Docket No.: 71745/55913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Butt *et al.*

EXAMINER: Marvich, M.

SERIAL NO. 09/856,336

GROUP: 1636

FILED: August 20, 2001

FOR: NUCLEIC ACID ISOLATION

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Commissioner of Patents  
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**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and designated by the "Express Mail" mailing label No. EV 654 385 813 US on September 23, 2005.

By   
Sharon Bizokas

.....  
Sir:

**PETITION UNDER 37 C.F.R. §1.47(a)**

In the originally filed Declaration & Power of Attorney, which was mailed on August 20, 2001, with the Completion of Filing Requirements, the priority claim was incomplete. This originally filed Declaration & Power of Attorney was signed by both inventors, Neil James Butt and Christopher Peter Jones.

An Assignment from inventors Neil James Butt and Christopher Peter Jones to Whatman Bioscience Limited was recorded on September 20, 2001, at Reel 012167, Frame 0132.

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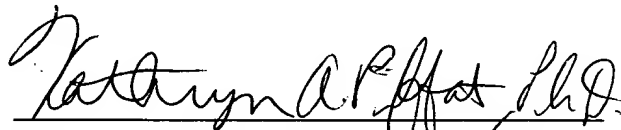
In the Office Action mailed July 26, 2004, the Examiner acknowledged the priority claim for the above-referenced case, but requested the filing of a supplemental oath or declaration. A Supplemental Declaration & Power of Attorney, which was signed by inventor Neil James Butt, was mailed on January 26, 2005.

This is a petition under 37 C.F.R. §1.47(a) to accept the Supplemental Declaration executed by inventor Neil James Butt on behalf of him and the non-signing inventor, Christopher Peter Jones, in order to avoid prejudice to the Assignee.

The pertinent facts establishing the failure of inventor Christopher Peter Jones to sign the Supplemental Declaration is set forth in the accompanying supporting Statement of Facts Regarding Inventor's Refusal to Sign Supplemental Declaration (the "Statement"). Based on the facts set forth in the supporting Statement, it has been concluded that Christopher Peter Jones has refused to sign the Supplemental Declaration, and relief under 37 C.F.R. §1.47(a) is hereby requested.

The Examiner is hereby authorized to charge the petition fee of \$200.00 to our deposit account no. 04-1105. Although it is not believed that any additional fee (in addition to the petition fee concurrently submitted) is required to consider this submission, the Commissioner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,



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